NOT FOR PRINTED PUBLICATION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

MARK L. MADENWALD and	§	
ALMEDA F. MADENWALD,	§	
	§	
Plaintiffs,	§	
	§	
	§	
V.	§	CASE NO. 4:13-CV-136
	§	Judge Clark/Judge Mazzant
JPMORGAN CHASE BANK, N.A.,	§	
U.S. BANK, NATIONAL	§	
ASSOCIATION, AS TRUSTEE FOR	§	
WAMU MORTGAGE PASS THROUGH	§	
CERTIFICATE FOR WMALT SERIES	§	
2007-OA3 TRUST, and CHICAGO TITLE	§	
INSURANCE COMPANY,	§	
	§	
Defendants.	S	

ORDER ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 14, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion for Summary Judgment [Doc. #37] be granted [Doc. #46]. On May 23, 2014, Plaintiffs filed an opposed motion to enlarge time to respond to the report and recommendation [Doc. #47]. On May 28, 2014, the court granted the Plaintiffs' request and gave Plaintiffs until June 4, 2014, to file their objections. On June 5, 2014, Plaintiffs filed their Objection to Magistrate Judge's Report and Recommendation [Doc. #49]. After the Clerk notified Plaintiffs that the document had been filed

under the wrong event, Plaintiffs refill the objections on June 6, 2014 [Doc. #50]. On June 9, 2014, Defendants filed a motion to strike the objections as untimely. Plaintiffs filed no response to the motion to strike nor did they request that the court consider the late objections. The objections were filed late and will not be considered by the court. The court grants the motion to strike.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendants' Motion to Strike Plaintiffs' Objection to Report and Recommendation on Motion for Summary Judgment [Doc. #51] is **GRANTED**.

It is further **ORDERED** that Defendants' Motion for Summary Judgment [Doc. #37] is **GRANTED** and Plaintiffs' case is **DISMISSED** with prejudice.

So ORDERED and SIGNED this 18 day of July, 2014.

Ron Clark, United States District Judge

Rm Clark